

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

YUSEF LATEEF PHILLIPS,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 1:19-cv-331

ANDREW HINDS,

Defendant.

ORDER

The Court has before it Defendant's Motion to Compel Plaintiff to answer, without objection, Defendant's First Set of Interrogatories and Requests for Production of Documents. (ECF No. 43.) Plaintiff has filed a Renewed Motion to Stay (ECF No. 50) and a Supplement (ECF No. 52), which explain why Plaintiff was unable to timely answer Defendant's discovery requests. According to counsel, Plaintiff has been in transit within the Bureau of Prisons system and difficult to find. Having recently located Plaintiff in the Grady County Jail in Chickasha, Oklahoma, en route to Grand Rapids for a May 7, 2020 hearing in this Court on his motion pursuant to 28 U.S.C. § 2255, Plaintiff's counsel states that, following a video call with Plaintiff scheduled for April 17, 2020, he will endeavor to provide defense counsel unsigned answers to the discovery requests as soon as possible and will follow up with signed answers when available. (ECF No. 52.) In light of the foregoing,

IT IS HEREBY ORDERED that Defendant's Motion to Compel (ECF No. 43) is **DENIED WITHOUT PREJUDICE**. Defendant may refile his motion after Plaintiff provides

his signed answers to Defendant. Plaintiff shall provide those answers **within 14 days** of the date of this Order.

IT IS FURTHER ORDERED that Plaintiff's Renewed Motion to Stay (ECF No. 50) is **DENIED WITHOUT PREJUDICE**. However, to accommodate the parties' anticipated need for additional time in light of the COVID-19 pandemic, the dates set forth in the March 20, 2020, Amended Case Management Order (ECF No. 39) are hereby **extended by 30 days**. Either party may move for a stay if the extended dates provide insufficient time to prepare the case because of the current emergency.

Dated: April 28, 2020

/s/ Sally J. Berens
SALLY J. BERENS
U.S. Magistrate Judge